

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP.,

Plaintiff,

v.

ORACLE CORP.,

Defendant.

Case No. 7:24-CV-00339-ADA

**DECLARATION OF ALAN COOPERSMITH IN SUPPORT OF
DEFENDANT ORACLE CORP.'S MOTION TO TRANSFER VENUE**

I, Alan Coopersmith, declare as follows:

1. I am a Senior Software Architect at Oracle Corp. ("Oracle"). I make this declaration in support of Oracle's motion to transfer venue. I am over 18 years old and not a party to this action. I have personal knowledge of the facts set forth in this declaration and, unless indicated otherwise, I could and would competently testify to them under oath if called as a witness.

2. I have been employed at Oracle since February 2010 in Santa Clara, California and currently reside in Santa Clara. I joined Oracle when it acquired Sun Microsystems, Inc. ("Sun"), where I was previously employed. I am responsible for development and support of the Unix-based computer operating system called "Solaris." Solaris was first developed at Sun in the San Francisco Bay Area long before Oracle acquired Sun in 2010 and took over maintenance and development of Solaris. When Oracle acquired Sun, Sun had thousands of employees in the Bay Area, and Oracle was headquartered in the Bay Area.

3. I worked at Sun from March 1999 to February 2010 in Menlo Park, California. From March 1999 to March 2000, I worked at Sun as a Software Release Engineer for Solaris Desktop products. From March 2000 to February 2010, I worked at Sun as a software engineer and was eventually promoted to Senior Staff Engineer. During my 10-year tenure at Sun, I worked on X Window System Engineering for Solaris, an open-source computer operating system called OpenSolaris, and a computer operating system called Linux.

4. At Oracle, I was technical engineering lead on the most recent release of Solaris. I am one of two Senior Software Architects who work on Solaris; the other, Darren Moffat, is in the United Kingdom. To my knowledge, Mr. Moffat and I are the Oracle employees who are most knowledgeable about Solaris. "Zones" is a name given to Solaris software containers. Solaris

Zones development work is currently supported by a team of engineers located in Prague, Czech Republic.

5. During my decades of work on and related to Solaris at Sun and Oracle, I gained a broad understanding of the development of various aspects of Solaris. This includes knowledge of a number of engineers involved in various aspects of Solaris' development and knowledge of how the different features and functionality of Solaris fit together. I am aware of and have personal knowledge of the development of the Solaris Zones feature and how Solaris Zones fits in with the other features and functionality of Solaris. Solaris Zones was included as a part of preview and beta releases of Solaris in or around 2004 prior to its inclusion in the official release of Solaris version 10. Its development was based in containerization technology developed at Sun in the 2000s for years prior to its release, including containerization features released as a part of Solaris version 9. I understand that technology underpinning Solaris's containerization technology and Solaris Zones predates the release of both Solaris versions 9 and 10. For example, the "chroot" system call which changes the apparent root directory for a current running process and its children dates back decades prior to Solaris versions 9 and 10.

6. The design and development of Solaris and Solaris Zones was primarily undertaken in Sun's San Francisco Bay Area offices, including at its Santa Clara and Menlo Park campuses.

7. Several of the key engineers involved in the design and development of Solaris Zones still reside in the San Francisco Bay Area, including the technical leads for Solaris Zones at the time of the Solaris versions 9 and 10 releases. The "technical lead" for a project refers to the engineer responsible for leading the project's design and managing the technical decisions and work for the project.

8. Dr. Andrew Tucker and Daniel Price were both involved in the design and development of Solaris Zones. Dr. Tucker was the first technical lead for the Solaris Zones project, and after Dr. Tucker left Sun in around 2005, Mr. Price took over as the second technical lead for the Solaris Zones project, contributing to the Solaris kernel. At the time I worked with them, Dr. Tucker and Mr. Price were both located in the Bay Area. I understand that they are currently still in the Bay Area—Dr. Tucker in Portola Valley, California (<https://www.linkedin.com/in/andy-tucker-b0a882/>), and Mr. Price in San Carlos, California (<https://www.linkedin.com/in/danielbprice/>).

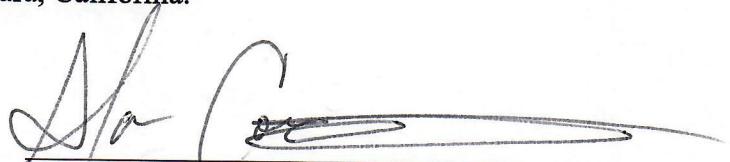
9. As another example, John Beck was involved in the design and development of Solaris Zones. Specifically, Mr. Beck worked on networking functionality. Mr. Beck lives in San Jose, California.

10. I am not aware of any engineers involved in Solaris Zones' development in or prior to 2005 who live or work in Texas.

11. I understand that Oracle received a request from a party in another litigation for Solaris source code, and I assisted in the collection of Solaris source code from around the 2004 time period. The source code that I collected is located on servers in Santa Clara, California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 24, 2025, in Santa Clara, California.



Alan Coopersmith

Dated: April 25, 2025

Respectfully submitted,

/s/ Jared Bobrow

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CERTIFICATE OF SERVICE

The undersigned certifies that on April 25, 2025, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system.

/s/ Jared Bobrow
Jared Bobrow